



#16

PATENT
Docket No.: MV/FT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of : P. Toomey
Application No. : 09/904,348
Filed : July 12, 2001
Examiner: : Douglas N. Washburn
Group Art Unit : 2863
For : SYSTEM AND METHODS FOR DETECTING FAULT
IN STRUCTURE

PETITION TO REVIVE UNDER 37 CFR 1.137(b)-DELAY UNINTENTIONAL
AND AMENDMENT AFTER FINAL

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Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

NOV 28 2003

OFFICE OF PETITIONS

Revising Ref: 02/04/2004 AKELLEY 0000133761
Attn: Examiner Washburn:

CHECK Refund Total: \$475.00

The above-identified application became abandoned due to prior counsel's failure to file a timely and proper reply to the Office Action mailed on October 23, 2002. Applicant received a Notice of Abandonment on or about August 1, 2003, and later forwarded the file to the undersigned and requested that it be reviewed and revived.

In response to the Office Action mailed on October 23, 2002, the undersigned states that the entire delay in filing the required reply, from April 23, 2003 to the filing of this petition to revive under 37 CFR 1.137(b) and amendment was unintentional. Applicant hereby petitions for revival of the above-identified application and encloses the required response and \$475 small-

11/28/2003 AWONDAF1 00000069 09904348

01 FC:2453
02 FC:2253

665.00 OP
475.00 OP

Adjustment date: 02/04/2003 AKELLEY
02/04/2003 AWONDAF1 00000069 09904348
-475.00 OP
02/04/2003

entity fee for three-month extension of time herewith. The small entity petition fee of \$665 is also enclosed herewith. Applicant has claimed small entity status. Since this utility patent application was filed after June 8, 1995, no terminal disclaimer is required.

In further response to the Office Action mailed on October 23, 2002, the undersigned requests the following amendments to the specification and the claims.

Amendments to the claims begin on page 3 of this paper.

Remarks begin on page 14 of this paper.

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REQUEST FOR PATENT FEE REFUND

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| 1 Date of Request: <u>12/16/03</u> | | 2 Serial/Patent # <u>09 904,348</u> | |
| 3 Please refund the following fee(s): | 4 PAPER NUMBER | 5 DATE FILED | 6 AMOUNT |
| <input type="checkbox"/> Filing | | | \$ |
| <input type="checkbox"/> Amendment | | | \$ |
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| | | 7 TOTAL AMOUNT OF REFUND | |
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| Extension filed after six month statutory period for reply. | | | |
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| TYPED/PRINTED NAME: _____ | | TITLE: <u>B</u> | |
| SIGNATURE: <u>Patrice Bond</u> | | PHONE: <u>303-6911</u> | |
| OFFICE: <u>Office of Petitions</u> | | | |
| ***** | | | |
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| APPROVED: <u>Alison Hill</u> | | DATE: <u>2/4/04</u> | |

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

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